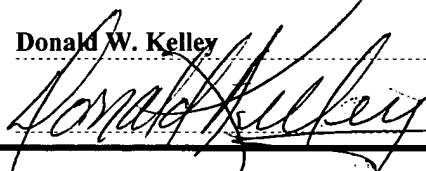


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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	Pest Control Formulation and Dispenser
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p style="margin-left: 40px;"> <input checked="" type="checkbox"/> The attached application, or  <input type="checkbox"/> Application No. _____, filed on _____,  <input type="checkbox"/> as amended on _____ (if applicable);         </p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	

<b>FULL NAME OF INVENTOR(S)</b>	
Inventor one: <u>Donald W. Kelley</u>	
Signature: 	Citizen of: <u>United States</u>
Inventor two: _____	
Signature: _____	Citizen of: _____
Inventor three: _____	
Signature: _____	Citizen of: _____
Inventor four: _____	
Signature: _____	Citizen of: _____

☐ Additional inventors or a legal representative are being named \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donald W. Kelley	)		
Serial No.:	)	Art Unit:	not assigned
not yet assigned	)		
Filed on:	)	Examiner:	not assigned
Evendate Herewith	)		
For: Pest Control Formulation and Dispenser	)		

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY BY ASSIGNEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, being Assignee of record in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignment filed concurrently herewith (a copy of which is attached hereto) has been reviewed by the undersigned pursuant to 37 C.F.R. §3.73. The undersigned certifies that to the best of the undersigned's knowledge and belief, title remains in the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith:

Representative Customer No.: 23979  
(Jacqueline S. Larson, Reg. No. 30,279)

**23979**

PATENT TRADEMARK OFFICE

Send Correspondence to:

Customer No.: 23979

Direct Telephone Calls to:

Jacqueline S. Larson, Esq.  
(408) 615-0502

REDLINE PRODUCTS, INC.

Date:

3/16/04

By:

Name: Tom Darnell

Title: President

COPY

**ASSIGNMENT OF PATENT APPLICATIONS**

WHEREAS, I, Donald W. Kelley, hereinafter referred to as "Assignor", am the inventor of the inventions described and set forth in the applications for United States Letters Patent listed on Schedule A attached hereto (the "Patent Rights"); and

WHEREAS, Redline, Inc., a Texas corporation (the "Assignee"), having a place of business at 5104 Wildwood Dr., Flower Mound, TX 75028, is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

NOW THEREFORE, for good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged by Assignor, Assignor does hereby:

SELL, ASSIGN AND TRANSFER to Assignee his entire right, title and interest for the United States and all foreign countries in and to the Patent Rights and to any and all future improvements thereon and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on the same; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on the inventions and any improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such applications in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on the Patent Rights to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by Assignor;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, Assignor will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on the Patent Rights and any improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to Assignor relating to the Patent Rights and the history thereof, and generally do everything possible which the Assignee shall consider desirable for vesting title to the Patent Rights and any improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such Patent Rights and improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

(Signature)  
Name:

Donald W. Kelley

Date:

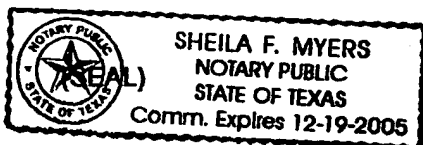
9/29/03

STATE OF TEXAS )

COUNTY OF Henderson )

SS.

BEFORE ME, the undersigned Notary Public, on this 29<sup>th</sup> day of September, 1992003 personally appeared Donald W. Kelley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his own free will for the purposes and consideration therein expressed.



Sheila F. Myers  
Notary Public

My Commission Expires: 12-19-2005

## **SCHEDULE A**

### **Patent Rights**

<b><u>Country</u></b>	<b><u>Serial No. &amp; Filing Date</u></b>	<b><u>Patent No. &amp; Issue Date</u></b>	<b><u>Title</u></b>
US	07/968,997 10/02/1992	5,437,869 08/01/1995	Pest Control System
US	08/315,937 09/30/1994	5,556,631 09/17/1996	Water Resistant Pesticide Compositions
US	07/893,662 06/05/1992	5,756,113 05/26/1998	Liquid Formulations Containing Fluorinated Acrylic Copolymer
US	09/178,018 10/23/1998	6,071,266 06/06/2000	Lubricious Medical Devices
US	60/459,105 03/31/2003		Pest Control Formulations and Dispenser
US	60/458,682 03/28/2003		Solid Pest Control System
US	60/492,590 08/04/2003		Pest Control Formulations and Dispenser

COPY